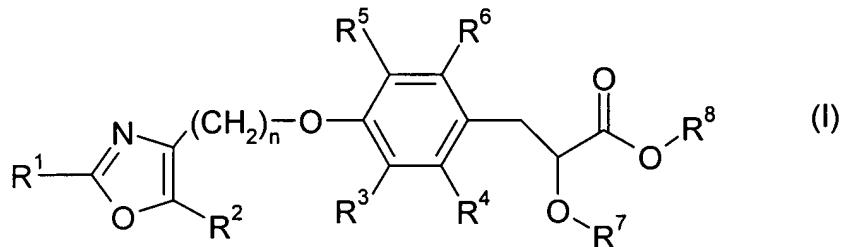


Amendments to the Claims

This listing of claims replaces all prior versions and listings of claims in the application.

1. (Original) A compound of formula (I)



wherein

R¹ is alkyl, fluoro-lower-alkyl, cycloalkyl, bicyclic cycloalkyl, or tricyclic cycloalkyl;

R² is hydrogen, lower-alkyl, or fluoro-lower-alkyl;

R³, R⁴, R⁵, and R⁶ are independently selected from the group consisting of hydrogen, hydroxy, halogen, lower-alkyl, fluoro-lower-alkyl, hydroxy-lower-alkyl, lower-alkoxy-lower-alkyl, lower-alkoxy, fluoro-lower-alkoxy, hydroxy-lower-alkoxy, lower-alkoxy-lower-alkoxy, and lower-alkenyl, wherein at least one of R³, R⁴, R⁵, or R⁶ is not hydrogen, or

R³ and R⁴ are bonded to each other to form a ring together with the carbon atoms to which they are attached, and R³ and R⁴ together are -CH=CH-S-, -S-CH=CH-, -CH=CH-O-, -O-CH=CH-, -CH=CH-CH=CH-, -O-(CH₂)₂₋₃-, -(CH₂)₂₋₃-O-, or -(CH₂)₃₋₅-, and R⁵ and R⁶ are as defined above,

R⁷ is lower-alkyl, fluoro-lower-alkyl, lower-alkenyl, aryl, or aryl-lower-alkyl;

R⁸ is hydrogen or lower-alkyl;

n is 1, 2 or 3;

or pharmaceutically acceptable salts or pharmaceutically acceptable esters thereof.

2. (Original) The compound according to claim 1, wherein R¹ is lower-alkyl, fluoro-lower-alkyl, cycloalkyl, bicyclic cycloalkyl, or tricyclic cycloalkyl.

3. (Original) The compound according to claim 1, wherein R¹ is lower-alkyl or cycloalkyl.
4. (Original) The compound according to claim 1, wherein R¹ is t-butyl, 2,2-dimethyl-propyl, cyclopropyl, or cyclohexyl.
5. (Original) The compound according to claim 1, wherein R² is lower-alkyl.
6. (Currently amended) The compound according to claim 1, wherein R² is methyl.
7. (Original) The compound according to claim 6, wherein R¹ is t-butyl, 2,2-dimethyl-propyl, cyclopropyl, or cyclohexyl.
8. (Original) The compound according to claim 1, wherein R³, R⁴, R⁵, and R⁶ independently from each other are hydrogen, halogen, lower-alkyl, or lower-alkoxy, wherein at least one of R³, R⁴, R⁵, or R⁶ is not hydrogen; or R³ and R⁴ are bonded to each other to form a ring together with the carbon atoms to which they are attached, and R³ and R⁴ together are -CH=CH-S- or -CH=CH-CH=CH-, and R⁵ and R⁶ are hydrogen.
9. (Original) The compound according to claim 1, wherein R³, R⁴, R⁵, and R⁶ independently from each other are hydrogen or lower-alkyl, wherein at least one of R³, R⁴, R⁵, or R⁶ is not hydrogen.
10. (Original) The compound according to claim 1, wherein R³, R⁴, R⁵, and R⁶ independently from each other are hydrogen or methyl, wherein at least one of R³, R⁴, R⁵, or R⁶ is not hydrogen.
11. (Original) The compound according to claim 10, wherein R¹ is t-butyl, 2,2-dimethyl-propyl, cyclopropyl, or cyclohexyl.

12. (Currently amended) The compound according to claim 11, wherein R² is methyl.

13. (Original) The compound according to claim 1, wherein R³ and R⁴ are bonded to each other to form a ring together with the carbon atoms to which they are attached, and R³ and R⁴ together are -CH=CH-S- or -CH=CH-CH=CH-, and R⁵ and R⁶ are hydrogen.

14. (Original) The compound according to claim 13, wherein R¹ is t-butyl, 2,2-dimethyl-propyl, cyclopropyl, or cyclohexyl.

15. (Currently amended) The compound according to claim 14, wherein R² is methyl.

16. (Original) The compound according to claim 1, wherein R⁷ is lower-alkyl or lower-alkenyl.

17. (Original) The compound according to claim 1, wherein R⁷ is ethyl, n-propyl, i-propyl, or but-3-enyl.

18. (Original) The compound according to claim 17, wherein R¹ is t-butyl, 2,2-dimethyl-propyl, cyclopropyl, or cyclohexyl.

19. (Currently amended) The compound according to claim 18, wherein R² is methyl.

20. (Original) The compound according to claim 19, wherein R³, R⁴, R⁵, and R⁶ independently from each other are hydrogen or methyl, wherein at least one of R³, R⁴, R⁵, or R⁶ is not hydrogen.

21. (Original) The compound according to claim 19, wherein R³ and R⁴ are bonded to each other to form a ring together with the carbon atoms to which they are attached, and R³ and R⁴ together are -CH=CH-S- or -CH=CH-CH=CH-, and R⁵ and R⁶ are hydrogen.

22. (Currently amended) The compound according to claim 1, wherein R⁸ is hydrogen.

23. (Original) The compound according to claim 22, wherein R¹ is t-butyl, 2,2-dimethyl-propyl, cyclopropyl, or cyclohexyl.

24. (Currently amended) The compound according to claim 23, wherein R² is methyl.

25. (Original) The compound according to claim 24, wherein R³, R⁴, R⁵, and R⁶ independently from each other are hydrogen or methyl, wherein at least one of R³, R⁴, R⁵, or R⁶ is not hydrogen.

26. (Original) The compound according to claim 25, wherein R⁷ is ethyl, n-propyl, i-propyl, or but-3-enyl.

27. (Original) The compound according to claim 24, wherein R³ and R⁴ are bonded to each other to form a ring together with the carbon atoms to which they are attached, and R³ and R⁴ together are -CH=CH-S- or -CH=CH-CH=CH-, and R⁵ and R⁶ are hydrogen.

28. (Original) The compound according to claim 27, wherein R⁷ is ethyl, n-propyl, i-propyl, or but-3-enyl.

29. (Original) The compound according to claim 1, wherein n is 1 or 2.

30. (Original) The compound according to claim 1, wherein n is 2.

31. (Original) The compound according to claim 30, wherein R¹ is t-butyl, 2,2-dimethyl-propyl, cyclopropyl, or cyclohexyl.

32. (Currently amended) The compound according to claim 31, wherein R² is methyl.

33. (Original) The compound according to claim 32, wherein R³, R⁴, R⁵, and R⁶ independently from each other are hydrogen or methyl, wherein at least one of R³, R⁴, R⁵, or R⁶ is not hydrogen.

34. (Original) The compound according to claim 33, wherein R⁷ is ethyl, n-propyl, i-propyl, or but-3-enyl.

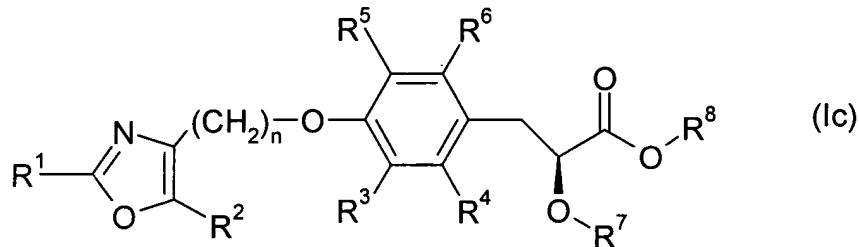
35. (Original) The compound according to claim 34, wherein R⁸ is hydrogen.

36. (Original) The compound according to claim 32, wherein R³ and R⁴ are bonded to each other to form a ring together with the carbon atoms to which they are attached, and R³ and R⁴ together are -CH=CH-S- or -CH=CH-CH=CH-, and R⁵ and R⁶ are hydrogen.

37. (Original) The compound according to claim 36, wherein R⁷ is ethyl, n-propyl, i-propyl, or but-3-enyl.

38. (Original) The compound according to claim 37, wherein R⁸ is hydrogen.

39. (Currently amended) A compound characterized by of formula (Ic)



wherein

R¹ is alkyl, fluoro-lower-alkyl, cycloalkyl, bicyclic cycloalkyl, or tricyclic cycloalkyl;

R² is hydrogen, lower-alkyl, or fluoro-lower-alkyl;

R³, R⁴, R⁵, and R⁶ are independently selected from the group consisting of hydrogen, hydroxy, halogen, lower-alkyl, fluoro-lower-alkyl, hydroxy-lower-alkyl, lower-alkoxy-lower-alkyl, lower-alkoxy, fluoro-lower-alkoxy, hydroxy-lower-alkoxy, lower-alkoxy-

lower-alkoxy, and lower-alkenyl, wherein at least one of R³, R⁴, R⁵, or R⁶ is not hydrogen, or

R³ and R⁴ are bonded to each other to form a ring together with the carbon atoms to which they are attached, and R³ and R⁴ together are -CH=CH-S-,
-S-CH=CH-, -CH=CH-O-, -O-CH=CH-, -CH=CH-CH=CH-, -O-(CH₂)₂₋₃₋,
-(CH₂)₂₋₃₋O-, or -(CH₂)₃₋₅₋, and R⁵ and R⁶ are as defined above,

R⁷ is lower-alkyl, fluoro-lower-alkyl, lower-alkenyl, aryl, or aryl-lower-alkyl;

R⁸ is hydrogen or lower-alkyl;

n is 1, 2 or 3;

or pharmaceutically acceptable salts or pharmaceutically acceptable esters thereof.

40. (Original) The compound according to claim 39, wherein R¹ is t-butyl, 2,2-dimethyl-propyl, cyclopropyl, or cyclohexyl.

41. (Currently amended) The compound according to claim 39, wherein R² is methyl.

42. (Original) The compound according to claim 39, wherein R³, R⁴, R⁵, and R⁶ independently from each other are hydrogen or methyl, wherein at least one of R³, R⁴, R⁵, or R⁶ is not hydrogen.

43. (Original) The compound according to claim 39, wherein R⁷ is ethyl, n-propyl, i-propyl, or but-3-enyl.

44. (Original) The compound according to claim 39, wherein R⁸ is hydrogen.

45. (Original) The compound according to claim 39, wherein R³ and R⁴ are bonded to each other to form a ring together with the carbon atoms to which they are attached, and R³ and R⁴ together are -CH=CH-S- or -CH=CH-CH=CH-, and R⁵ and R⁶ are hydrogen.

46. (Original) The compound according to claim 39, wherein R⁷ is ethyl, n-propyl, i-propyl, or but-3-enyl.

47. (Original) The compound according to claim 39, wherein R⁸ is hydrogen.

48. (Original) The compound according to claim 1, selected from the group consisting of (S)-3-{4-[2-(2-tert-Butyl-5-methyl-oxazol-4-yl)-ethoxy]-naphthalen-1-yl}-2-ethoxy-propionic acid,

(S)-2-But-3-enyloxy-3-{4-[2-(2-tert-butyl-5-methyl-oxazol-4-yl)-ethoxy]-naphthalen-1-yl}-propionic acid,

3-{4-[2-(2-tert-Butyl-5-methyl-oxazol-4-yl)-ethoxy]-naphthalen-1-yl}-2-isopropoxy-propionic acid,

3-{4-[2-(2-Cyclohexyl-5-methyl-oxazol-4-yl)-ethoxy]-naphthalen-1-yl}-2-propoxy-propionic acid, and

3-(4-{2-[2-(2,2-Dimethyl-propyl)-5-methyl-oxazol-4-yl]-ethoxy}-naphthalen-1-yl)-2-propoxy-propionic acid,

or pharmaceutically acceptable salts or pharmaceutically acceptable esters thereof.

49. (Original) The compound according to claim 1, selected from the group consisting of 3-{4-[2-(2-tert-Butyl-5-methyl-oxazol-4-yl)-ethoxy]-benzo[b]thiophen-7-yl}-2-isopropoxy-propionic acid,

3-{4-[2-(2-tert-Butyl-5-methyl-oxazol-4-yl)-ethoxy]-benzo[b]thiophen-7-yl}-2-ethoxy-propionic acid,

3-{4-[2-(2-Cyclopropyl-5-methyl-oxazol-4-yl)-ethoxy]-benzo[b]thiophen-7-yl}-2-propoxy-propionic acid, and

3-{4-[2-(2-Cyclopropyl-5-methyl-oxazol-4-yl)-ethoxy]-benzo[b]thiophen-7-yl}-2-ethoxy-propionic acid,

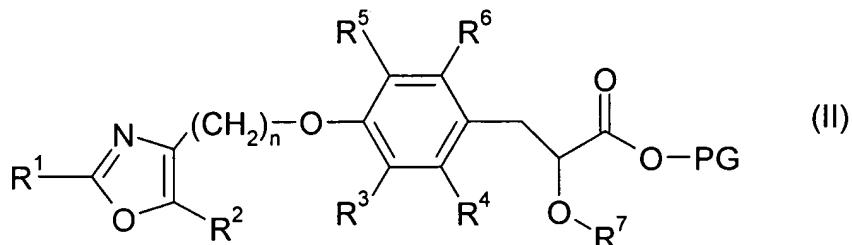
or pharmaceutically acceptable salts or pharmaceutically acceptable esters thereof.

50. (Original) The compound according to claim 1, selected from the group consisting of 3-{4-[2-(2-tert-Butyl-5-methyl-oxazol-4-yl)-ethoxy]-3-methyl-phenyl}-2-isopropoxy-propionic acid, and

[rac]-3-{4-[2-(2-tert-Butyl-5-methyl-oxazol-4-yl)-ethoxy]-2-methyl-phenyl}-2-ethoxy-propionic acid,

or pharmaceutically acceptable salts or pharmaceutically acceptable esters thereof.

51. (Withdrawn) A process for the manufacture of the compound according to claim 1, which process comprises removing a protecting group in a compound of formula (II)

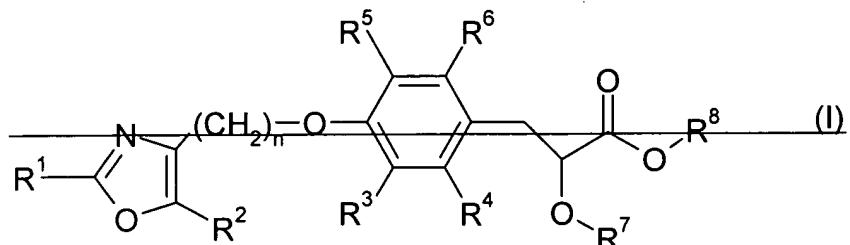


wherein PG is a protecting group.

52. (Original) A compound manufactured by the process according to claim 51.

53. (Original) A pharmaceutical composition comprising a compound according to claim 1, and a pharmaceutically acceptable carrier and/or adjuvant.

54. (Withdrawn – Currently amended) A method for the treatment and/or prevention of a disease modulated by PPAR α and/or PPAR γ agonists comprising administering, to a mammal in need thereof, a pharmaceutically effective amount of a compound of formula (I) claim 1.



wherein

R¹ is alkyl, fluoro-lower alkyl, cycloalkyl, bicyclic cycloalkyl, or tricyclic cycloalkyl;

R² is hydrogen, lower alkyl, or fluoro-lower alkyl;

~~R³, R⁴, R⁵, and R⁶ are independently selected from the group consisting of hydrogen, hydroxy, halogen, lower alkyl, fluoro lower alkyl, hydroxy lower alkyl, lower alkoxy lower alkyl, lower alkoxy, fluoro lower alkoxy, hydroxy lower alkoxy, lower alkoxy lower alkoxy, and lower alkenyl, wherein at least one of R³, R⁴, R⁵, or R⁶ is not hydrogen, or~~

~~R³ and R⁴ are bonded to each other to form a ring together with the carbon atoms to which they are attached, and R³ and R⁴ together are CH=CH-S-, S-CH=CH-, CH=CH-O-, O-CH=CH-, CH=CH-CH=CH-, O-(CH₂)₂₋₃-, -(CH₂)₂₋₃-O-, or -(CH₂)₃₋₅-, and R⁵ and R⁶ are as defined above,~~
~~R⁷ is lower alkyl, fluoro lower alkyl, lower alkenyl, aryl, or aryl lower alkyl;~~
~~R⁸ is hydrogen or lower alkyl;~~
~~n is 1, 2 or 3;~~
~~or pharmaceutically acceptable salts or pharmaceutically acceptable esters thereof.~~

55. (Withdrawn) The method according to claim 54, wherein the disease is diabetes, non-insulin dependent diabetes mellitus, elevated blood pressure, increased lipid and cholesterol levels, atherosclerotic diseases, metabolic syndrome, endothelial dysfunction, procoagulant state, dyslipidemia, polycystic ovary syndrome, inflammatory diseases or proliferative diseases.

56. (Withdrawn) The method according to claim 54, wherein the disease is non-insulin dependent diabetes mellitus.